

CHAPTER NO. 700

SENATE BILL NO. 3247

By Burchett, Burks, Curtis S. Person, Jr., McNally, Finney

Substituted for: House Bill No. 2909

By Strader

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 4, relative to certain hallucinogenic plants.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 4, is amended by adding the following as a new section:

§ 39-17-452.

(a) It is an offense to knowingly produce, manufacture, distribute, possess or possess with intent to produce, manufacture, or distribute the active chemical ingredient in the hallucinogenic plant *Salvia divinorum* A.

(b) The provisions of this section shall not apply to the possession, planting, cultivation, growing, or harvesting of such hallucinogenic plant strictly for aesthetic, landscaping, or decorative purposes.

(c) The provisions of this section shall not apply to any dosage form which is legally obtainable from a retail establishment without a prescription and is recognized by the Federal Food and Drug Administration as a homeopathic drug.

(d) A violation of subsection (a) is a Class A misdemeanor.

Section 2. This act shall take effect July 1, 2006, the public welfare requiring it.

PASSED: May 11, 2006


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 19th day of May 2006


PHIL BREDESEN, GOVERNOR